மதுரை மாவட்டம்

பதிவு எண் 18972

872

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...ck
...ck No.
... No.
...ial No 8972
General No. 30102

Government
From 181..

1814

S. M. ...

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட

மாதம் வருடம் 1984

செப்பனிட்டு முடித்த

மாதம் வருடம் 1984

ஆராய்ச்சி உதவியாளரின் கையொப்பம்.

Government File List of Retainable papers ~~for 1811~~. from 1814 – 1827

Received Letters. Madura Collectors' Office.

Date	Number.	From whom received:	Substance.
11/9/19	498	Secretary to Govt	Transmitting two copies of a despatch from the Hon'ble the Court of Directors under date the 7th April 1819 and requesting to Communicate the same to the Several assistants of the District:-
30/10/19	516	— do —	Transmitting copy of a despatch from the Hon'ble the Court of Directors under date the 12th of [illegible] last and intimating the expectation of the Governor-in-Council that his whole conduct [illegible] guided in the Spirit of the Hon'ble Court's Sentiments with regard to the late changes in the Judicial [illegible]

List of Retainable papers for 18

Received Letters. Madura Collector's O

Date.	Number.	From whom received.	Substance.
			System and requesting to recommend himself to the approbation of the Hon'ble Court and of the Govt. by giving full and fair effect to the arrangements for Judicature and Police which are at present in force
13/7/20	125	Secy. to Govt.	Directing to make the same allowance to Muthuveerappa or Luckiya Naicken Zemindar of Comarawaudy who was released from confinement under the orders of Govt. dated 1st June 1816, as he received before his release
9/2/21	55	— Do —	Informing that the General

Naicker

List of Retainable papers for 18

eceived Letters. Madura Collectors' Office.

Number.	From whom received:	Substance. 2
		assistant Surgeons attached to Civil Stations are intended to afford medical assistance equally to the officers in the Revenue and Judicia[l] Departments and are not to conside[r] themselves prohibited from proceeding to any part of the Distric[t] where their presence may for the purpose be required.
11/[illegible] 679.	Secy to Govt.	Transmitting for information and guidance extract from the minutes of Consultation in the Military Deptt. bearing date the 7th instt. and requesting to instru[ct] the Collectors of Districts to cause a careful search to be made for every.

Date.	Number.	From whom received.	Substance.
			every description of lime stone or Calcarious earths and to despatch specimens of any, that may be found, to the Presidency with the view of being submitted to an analysis.
2/11/21	"	Chief Secy to Govt.	Informing that the Madras Govt. has resolved to admit the title of Travancore to the disputed tract lying between the river Therkoo Periyar and the high Eastern range of hills, & that the Eastern ridge be finally established as the boundary between the two States [The letter is not in the file; but only the extract]

List of Retainable papers ~~for 18~~ from 1814—1827

Received Letters. **Madura Collectors' Office.**

3

	Number.	From whom received:	Substance.
16.4.21	"	Secy to Govt.	Transmitting Extract from the minutes of Consultation in the Military Department bearing date the 6th instt. regarding the communications to be made with Commanding officers for the purpose of assigning proper limits to Military Bazaars.
14.6.22	236.	— Do —	Transmitting for information and guidance Extract from the minutes of Consultation explanatory of the manner in which certain provisions of Regulation VI of 1821 are to take effect.
12.7.22		— Do —	Informing that the duty of Magistrates consists in guarding against popular tumult and removing every impediment to the most perfect [illegible]

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date.	Number.	From whom received.	Substance.
			openness and freedom of the mark To punish dealers for not selling or for selling too dear, is, besides the illegality of the Proceeding, to pretend to understand their intere better than they do themselves.
16.8.22.	"	Chief Secretary to Govt.	Transmitting copy of the rep received from the Ceylon Govt. Sta that that Govt. does not see in the case of the family of the late Rungappa Naick any circum stances which would warran its continuing any part of the deceased's allowance to them
20.9.22.	618	Secy. to Govt.	Transmitting copy of a gen order of Govt. regarding the po ment

List of Retainable papers for 18

…ived Letters. Madura Collectors' Office.

…mber.		From whom received:	Substance.
			ment of pensions to native pensioners by Collector or other Civil authorities
22.11.22	"	Sec.y to Govt.	Transmitting Extract from the Procs of the Hon'ble the Governor in Council relative to certain charges against Mr F. A. Oakes, late Collector and Magistrate of Cuntoor, which have investigated by a special commission
31.1.23	71	Do	Do	Transmitting copy of a general order regarding the payment of pensions to native pensioners.
1.4.23	"	Do	Do	Transmitting copy of a des-patch from the Secretary for the Kandian provinces and desiring to report what portion of the pension…

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date.	Number.	From whom received.	Substance.
			of the late Perumaulswami Naick may be assigned for the maintenance of his son Comaurusawmi & family
10.6.23	"	Chief Secretary	Communicating the sanction of the Governor in Council for continuing two-thirds of the pension enjoyed by the late Perumaulswami Naik, for the support of his family in arrear from the date of his decease.
27.2.24	"	Secy to Govt	Transmitting an Extract from the Procgs of the Honble the Honble Governor in Council regarding the Character of the Civil Service.

List of Retainable papers ~~for 18~~ from 1811 - 1827

...ived Letters. Madura Collectors' Office.

5

...ber.		From whom received.	Substance.
25.3.25	"	Chief Secretary to Govt	Transmitting for information and guidance copy of a minute of Council of this date prescribing some rules for the guidance of the officers of Govt with the Natives of India.
23.12.25	do 91	Secy. to Govt	Transmitting copy of a letter from a Gumastah of Shivagunny Nachyar, one of the claimants of the Zemindari of Ramnad and desiring to state whether a reference has been made to them by the Provincial Court as therein stated, respecting securities tendered on the part of Shivagunny Nachyar and

Date.	Number.	From whom received.	Substance.
			and if such a reference has been made, that he will inform the Govt of the result.
30.5.26	"	Chief Secretary	Transmitting copy of a letter from the Dy Secretary to Govt at Columboo and desiring that the family of the late Candian prisoner Vangoora Naick may receive the allowances therein authorized from the date of his decease.
28.11.26.	"	Secy to Govt	Transmitting for information and guidance an Extract from the minutes of Consultation as relative to the appointment of "Cauzies" at the Principal Towns.
12.1.27	"	Do	Transmitting Extract from the

6 13

	…ber.	From whom received:	Substance.
			the minutes of Consultation and drawing attention to the Circular instructions of the 22nd November 1822 and making certain observations on the principles on which they are founded.
3.6.27.	〃	Secy to Govt.	Transmitting Extract from the minutes of Consultation relative to the grantig of bills on Madras for portions of Salary of the Civil Servants.
10.4.27	296	Do	Informing that the System of granting native pensions has been abandoned as the funds were found to be inadequate; and that the Govt. have determined to

List of Retainable papers for 18 .

Received Letters. Madura Collector's Office.

Date.	Number.	From whom received.	Substance.
			to grant the native Servants on Superannuation Pensions under certain rules; and adding that the Pensions will enable decayed Servants to retire and to procure public employment for younger members of their families.
14.8.27.	628.	Secy to Govt	Communicating the orders of Govt that if the Zemindary of Comarawaudy be in the possession of the Son of the late Muthu Veerapah Luckia Naik, it is the duty of the Zemindar to support the family of his father; and desiring that the Collr

List of Retainable papers ~~for 18~~ from 1814 - 1827

Received Letters. Madura Collectors' Office.

Date.	Number.	From whom received.	Substance.
			7. Collr will require him to do so; and suggesting that if there should be special reasons for exempting the zemindar from this obligation, he will report the same with reasons

15

(Circular)

Revenue Department

17

No. 498

8

To

The Collector of

Madura.

Sir,

In pursuance of the orders of the Honorable the Court of Directors two copies of a dispatch from the Honorable Court under date the 7th of April last are herewith transmitted to you. You will be careful to communicate the same to your Assistants and to any Assistant who may hereafter be appointed under you.

Fort St. George
11th September 1819.

I am
Sir,
Your most obedient Servant,
D. Hill
Secy. to Govt.

Ca/
Hrampton

Revenue Department

9

OUR GOVERNOR IN COUNCIL

AT

FORT ST. GEORGE.

Para. 1. OUR last letter to you in this Department was dated the 12th February last.

2. In Paragraphs 138 to 143, of your letter in this Department, dated the 10th January 1817, and in Para. 175 of your subsequent Letter dated the 31st January 1818, you reported to us your Proceedings in the case of Mr. William Campbell, late Assistant Collector in the Zillah of Canara.

3. It appears, from these Proceedings, that, in August 1816, The Honorable Thomas Harris, Collector of Canara, had discovered a defalcation in the Treasury of Honawer, which was under the immediate charge of Mr. William Campbell, his Head Assistant, to the extent of Star Pagodas 17,962 ,, 20 ,, 58. In explanation of this deficiency Mr. Campbell acknowledged that he had been engaged in trading on his own account, that he had employed the Public Servants and the public money in carrying on this trade, and that he was unable, when called upon, to refund the amount of the misappropriation: This flagrant breach of trust having been reported to you through the regular channel of the Board of Revenue, you very properly removed Mr. Campbell from the situation of Head Assistant to the Collector of Canara, and suspended him from the Company's Service, without resorting to the special enquiry which is prescribed, in certain cases, by Regulation III of 1809, but which was rendered unnecessary in the present instance by Mr. Campbell's admission of the facts which constituted the matter of charge against him. The balance due from Mr. Campbell to the Company having since been wholly discharged, you have not deemed it necessary to take any further steps with regard to him.

4. We have now to perform the painful but indispensable duty of marking our just displeasure at the misconduct of Mr. William Campbell. That Officer has committed a double offence, first in embarking in trade contrary to the Regulations of your Government, and afterwards in making use of the treasure under his immediate charge, for the purpose of enabling him to carry on that illicit trade.—He has thus not only transgressed the rules of the Service, but he has acknowledged himself guilty of a misdemeanour punishable, under the laws of the realm, with fine and imprisonment. His conduct exhibits, not a solitary instance, but a series of malversation long persisted in, proceeding from a disregard of positive and solemn obligations.

5. The sacred trust reposed in us by the Legislature, and the welfare of the people of India, as connected with the purity and public character of our Servants employed in administering the affairs of the country, imperiously call in this instance for a severe example. We have accordingly adjudged Mr. William Campbell to be dismissed from the Company's Service; and we hereby direct that, on the receipt of this dispatch, his name be struck out of the list of our Civil Servants.

6. In perusing the Correspondence we have not overlooked the extenuating circumstances belonging to it, and in consideration of the testimonies borne to Mr. Campbell's former good conduct, his ready confession of his offence, and the repayment of the money which he had misappropriated, we abstain from directing the institution of any proceeding against him in the Supreme Court.

7. We deem the whole of Mr. Harris's conduct in the painful situation in which he was placed, to be equally creditable to his feelings as a man, and to his correct sense of duty as a Public Officer. He has set an excellent example to the Civil Service, which, we doubt not, they will follow; and we think it due to Mr. Harris to desire that you will communicate to him the favourable impression made upon us by the whole of his behaviour.

8. We must earnestly press upon you the paramount importance of jealously watching over and preserving the purity of our Civil Service, and, with this view, of instituting the most rigid scrutiny into every case where there may be any reasonable grounds of suspicion; Your exertions in this way shall always be steadily seconded by us, it being our inflexible determination to punish in an exemplary manner every departure on the part of our Covenanted Servants from the plain line of their duty which may be reported to us supported by sufficient evidence, and which may appear to us irreconcilable with probity of character.

9. But it is in vain for us to frame regulations for preventing our Civil Servants not employed in the Commercial Department from carrying on trade, and to call upon you to enforce the observance of them, if Free Merchants and Houses of Agency established in India under our express sanction, are to be permitted directly or indirectly to encourage such illegal speculations—were we to connive at their so doing, we should become justly liable to the imputation of acting with unfairness and inconsistency,—of framing laws and executing them with rigour,—at the same time that we allowed undue temptations and facilities to be thrown in the way of those, whose possible malversations it was the professed object of these laws to prevent.

10. Entertaining these sentiments we must express our surprise at the opinion stated by your Board of Revenue in their remarks on Mr. Harris's Letter to them of the 22d August 1816, relative to the conduct of Messrs. Shotton and Co. of Bombay. We cannot concur with that Board in thinking Mr. Harris's remarks by any means irrelevant; and we highly approve of your having reported the conduct of that Firm to the Presidency of Bombay, to be noticed by them as they shall see fit. As you have so properly taken this step, we shall dwell no longer upon the subject at present. But we direct that you will make it known to all persons permitted to reside at your Presidency as Free Merchants, and to all Houses of Agency established there, that, if they aid and abet any commercial transactions on the part of Civil Servants of the Company not employed in the Commercial Department, they will do so at the risk of being immediately sent to Europe—similar instructions will be given to the other Presidencies.

11. We desire that you will transmit a copy of this dispatch to each of the Collectors under your Presidency, with an instruction that it be communicated to their respective Assistants.

We are,
Your loving friends,

LONDON,
the 7th April 1819.

(Signed) JAMES PATTISON,
„ C. MARJORIBANKS,
„ JACOB BOSANQUET,
„ WILLIAM ASTELL,
„ EDWARD PARRY,
„ W. STANLEY CLARKE,
„ W. S. MONEY,
„ W. WIGRAM,
„ G. RAIKES,
„ S. TOONE,
„ R. C. PLOWDEN,
„ J. THORNHILL,
„ JOHN BEBB,
„ JOSEPH COTTON,

(A true copy.)
D. HILL,
Sec. to Government.

R 10

Judicial Department.

(Circular.) No. 516

To the Collector and Magistrate of the Zillah of Madura

Sir,

I am directed to transmit to you the annexed copy of a dispatch from the Honorable the Court of Directors under date the 12th of May last, and to intimate to you the expectation of The Right Honorable The Governor in Council, that your whole conduct will be guided in the spirit of the Honorable Court's sentiments with regard to the late changes in the Judicial system, and that you will strive to recommend yourself to the approbation of the Honorable Court and of the Government, by giving full and fair effect to the arrangements for Judicature and Police which are at present in force.

I am
Sir
Your most Obedient Servant

FORT ST. GEORGE,
30th October 1819.

D. Hill
Secretary to Government.

Judicial Department.

11 23.

OUR GOVERNOR IN COUNCIL

AT

FORT ST. GEORGE.

Para. 1. OUR last letter to you in this Department was dated the 7th Ultimo.

2. We have attentively considered the whole of your Proceedings towards carrying into effect the orders which we had issued for the reform of your system of Judicature and Police.

3. We are not surprized that, in the execution of these orders, you found yourselves engaged in long discussions involving many matters of detail. The Minutes and Reports of the several authorities contain much valuable information; but, as nothing could be more unsatisfactory than a continuance of that controversial character which those discussions assumed, as it is highly desirable that the undivided energy of Government should be employed in giving full efficacy to the measures upon which you finally determined, we shall abstain from all examination of the merits of the controversy, and from all detailed remarks on the provisions of the Regulations themselves. We shall content ourselves with expressing our general satisfaction with them, and with directing that they be carried *strictly* and *faithfully* into execution.

4. There is no object which we have more at heart than the giving a very full and fair trial to this new system, and we look to those who exercise the powers of Government, and to our Servants acting under their authority in the Revenue and Judicial Departments, for the most zealous exertions in carrying our instructions into effect. But our object would be entirely defeated unless the Regulations were administered in the spirit in which our instructions were conveyed: we, therefore, desire that you will be most cautious in your selection of persons to fill the office of Collector, as upon the zeal and intelligence of those Officers much of the efficacy of the new Regulations will depend.

5. It is impossible for us to conclude this dispatch without acknowledging, in terms of the warmest commendation, the zeal, ability, and judgment displayed by the Commissioners in the execution of the arduous duty entrusted to them. We are aware that the most important and laborious part of that duty fell on Colonel Munro, the 1st Commissioner, in whose commendation it would be superfluous for us to speak, were it not for the purpose of assuring you, for your information, and for that of th[illegible] ice in general, that we consider the services which he has ren[illegible] ipany and to the Natives, as Chief of the Commission, to be [illegible] hearty acknowledgments as any act of his long and h[illegible]

We are,
Your loving Friends,
C. MARJORIBANKS.
G. ROBINSON.
W. F. ELPHINSTONE.
WILLIAM STANLEY CLARKE.
J. DANIELL.
R. C. PLOWDEN.
JOHN INGLIS.
S. TOONE.
A. ALLAN.
J. THORNHILL.
JOHN JACKSON.
G. RAIKES.
H. LINDSAY.
ROBERT CAMPBELL.

(A true copy.)
D. HILL,
Sec. to Government.

Judicial Department

No. 125

12

To

The Magistrate

of Madura –

Sir,

I am directed to acknowledge the receipt of your letter of the 20th of January last and to state that the Govern[ment] in Council authorizes you to make the same allowance to Mootooveerapa[...] Luckia Naicken, Zemindar of Coman=ravaudy who was released from confinement under the orders of Govern=ment dated 1st June 1816, as he received before his release.

Fort St. George
18th March 1820.

I am,
Sir,
Your most obedient servant,
D. Hill
Secretary to Govt.

[illegible]

Circular

Judicial Department

No. 55

13

To

The Collector and Magistrate
of the Zillah of
Madura –

Sir,

The Honorable the Governor in Council deems it proper to explain that the several assistant Surgeons attached to Civil Stations [illegible] intended to afford medical assist[ance] equally to the officers in the Revenue and Judicial Departments and are not to consider themselves prohibited from proceeding to any part of the district where their presence may for that purpose be required. The Governor in Council feels confident that the discretion vested in Judges

and

and Collectors in common will be exercised with due regard to each others exigencies and to the convenience of the Medical officers and will not be allowed to give occasion to any difference of Opinion, rendering the interference of Government necessary.

Fort St. George,
9th February 1821.

I am
Sir,
Your most Obedient Servant
D Hill
Secy to Govt.

A. Hampton

Revenue Department

Circular

29

R 14

No. 679

To The Collector
of
Madura.

Sir,

I am directed by the Honorable the Governor in Council to transmit for your information and guidance the accompanying Extract from the Minutes of Consultation in the Military Department bearing date the 7th instant.

I am
Sir,
Your most obedient Servant.

D Hill
Secy. to Govt.

Fort St. George
14th September 1821.

Ex. H. Crampton

From the Secty.
to Governt.
Dated 14th Septr.
1821.

R 33 16

Military Department

Extract from the Minutes of the Honourable the Governor in Council:

7th September, 1821.

"Read the following letters from the Military Board -

Here enter 21st August 334.

A copy of the Military Board's report of 14th July 1818, No 232, is observed to have been furnished to the Public Department under date the 6th August following. Advertin[g] to the late separation of the Revenue and Judicial Department from the Public, &ca Department, copies of para. 5 of the foregoing letter, and of paras. 4 & 5 of its enclosure from the acting Chief Engineer, are to be transmitted to the Revenue Department in order that the attention of the several Collectors, &ca may be directed to the suggestions therein offered. A copy of those paragraphs will also be transmitted to the Public Department for eventual communication to the Honourable Company's Naturalist thro' the Medical Board"

In Cons: 4th Augt 1818. No 63

Extract.

Extract from a letter from the Military Board.
Dated 21st August, 1821.

"For the more particular information of your Excellency in Council, we have the honor to forward herewith a copy of Major DeHavilland's Report, referring to which it will be seen, that there is every probability that the Stone capable of making this Cement is procurable in the Honorable Company's Territory under the Presidency of Fort St. George. We are therefore induced to repeat our suggestion that Collectors of Districts may be instructed carefully to cause search to be made for every description of Lime Stone or Calcarious Earths, and to despatch Specimens of any that may be found to the Presidency, with the view of being submitted to an Analysis."

[...]ara 5

Extract from a Report of the Acting Chief Engineer – Dated 20th August, 1821.

4th "Referring to Para 10 of the same Letter, The Acting Chief Engineer does not find any record of the researches of the Company's late Naturalist, but he saw his Report and He

concluded

concluded from it, that he has not then been successful in any actual discovery of the species of Lime Stone of which this Cement is made.— Under every consideration of the subject there-fore, the Acting Chief Engineer would still press on the attention of the Board the proposition he offered in his Report of the 13th of June 1818, Viz: that measures should be taken for obtaining from all the Collectors and other officers with whose Department the subject may appear connected, to send down specimens of every description of Lime Stone or Calcarious Earths procurable in their respective districts, for the purpose of being submitted to an analysis which will deter-mine the nature and proportion of their several component parts, and the present Naturalist in communication with the Acting Chief Engineer might then be able to ascertain if this desideratum is to be obtained with advantage in any part of the Company's Territory under this Presidency.—

5 The Acting Chief Engineer takes this

this opportunity of stating for the information of the Board and of Government, that Mr. Voysey a Medical officer employed with Colonel Lambton lately shewed him a specimen of a Lime Stone of this nature procurable in the Cuddapah District in a direction North West of the Town, and although he had but imperfectly analyzed it, from the want of a proper apparatus, it is clearly of the same species of Stone as that of which Parker's Cement is made as exhibited in the Margin.

Cuddapah Stone

Carbonate of Lime	84
Selica and Iron	1½
Alumine or Clay	14
	99½

Parker's Cement Stone

Carbonate of Lime	50
Selica	12
Alumina	32
Iron and oxide of Maganesi	2
	96

(True Extracts)

(Signed) Ed. Wood,
Chief Secretary.

(A true Copy)

D. Hill
Secretary to Govt.

Ed
J. Godfrey

R

37. 18

Extract from the Minutes of
The Honorable the Governor
in Council
2nd November 1821.

Resolved to admit the title of Travancore to the disputed tract lying between the river (Sheankopeniar) and the high eastern range of Hills; and that the Eastern Ridge be finally established as the Boundary between the two States.

Resolved that the Resident be instructed in communicating this decision to the Ranee of Travancore, to explain to her Highness, that in the final examination of this question, all doubts which had remained upon it have been made to yield to the desire of the Governor in Council to Shew his consideration for so ancient an ally of the British Government.

(A True Extract)

(Signed) Ed. Wood
Chief Secretary

(True copy)

Ms

D. Malz for
[illegible]

Judicial Department

39 19

R/

To

The Collector and Magistrate
of
Madura –

Sir,

I am directed by the Honourable the Governor in Council to transmit for your information and guidance the annexed Extract from the Minutes of Consultation in the Military Department bearing date the 6th instant.

Fort St. George
16th November 1821.

I am
Sir,
Your most obedt. Servt.,
D Hill
Secy. to Govt.

J. Hampton

R ~~[illegible]~~ Military Department

41 20

Extract from the Minutes of the Honourable the Governor in Council

6th November.

"Resolved, with reference to the 9th paragraph of the Circular Letter addressed to Magistrates from the Judicial Department under date the 28th of August last that they be desired immediately to communicate with Commanding Officers for the purpose of assigning proper limits to Military Bazars."

(A true Extract)

(Signed) R. Clive,
Secry to Govt.

(A true copy)
D Hill
Secry to Govt.

3

[illegible]

From the Secretary
to Government Dated
26th November 1821

R Judicial Department

43

No 236 21

To

The Collector and Magistrate

of

Madura.

Sir,

I am directed by the Honorable the Governor in Council to transmit for your information and guidance the accompanying Extract from the Minutes of Consultation of this date, explanatory of the manner in which certain provisions of Regulation VI of 1821 are to take effect.

Fort St George,
14th June 1822.

I am,
Sir,
your most obedient servant
D. Hill
Secretary to Govt.

Ashworth

22

No. 250.

EXTRACT *from the* MINUTES *of* CONSULTATION, *dated 14th June* 1822.

"Agreeably to Clause First Section III Regulation VI A. D. 1821, the Honorable the Governor in Council has been pleased to vest Police authority and the maintenance of the peace in the Commanding Officers of the undermentioned Garrisons, Cantonments and Stations, viz. Vellore, Arcot, Wallajahbad, St. Thomas' Mount, the Presidency Cantonment, Poonamallee, Masulipatam, Bellary, Cananore and Palamcottah.

Agreeably to Clause Second of the same Section, the Governor in Council has been pleased to vest Police authority and the maintenance of the peace in the Commanding Officers within the limits of the Military Bazars only at Trichinopoly and Berhampore.

The limits of the Cantonments and Military Bazars above mentioned have been sanctioned and confirmed by Government and orders have been given for depositing plans of the same in the Cutcherry of the Magistrate of the district in which they are respectively situated. As soon as plans have been so deposited, as required by the Regulation, the Commanding Officers will exercise the powers conferred upon them by Sections III, IV, V and VI.

The Governor in Council has been pleased to establish General Military Bazars at the undermentioned stations, viz. Vellore, Masulipatam, Bellary, Cananore and Trichinopoly. In these five General Military Bazars, the Commissariat Officers, subject to the orders of the Commanding Officers will exercise the powers conferred by Sections VII, VIII, IX, X, XI and XII of the Regulation. Commissariat Officers will not, without further orders from Government, be employed in the duties prescribed by this Regulation, except at those stations at which General Military Bazars are established.

It is only in the five General Military Bazars that the powers conferred by Sections VII, VIII, IX, X, XI and XII of the Regulation are to be exercised.

The offence of smuggling spirits within any Military Bazar whatever is by Clause Second Section VI liable to be punished by Military law. That offence is liable to be punished in the same manner within the limits authorized by Section XIV of the Regulation; and the Governor in Council has resolved that those limits shall extend four miles around the Military Bazars at the undermentioned stations, viz. Vellore, Masulipatam, Bellary, Cananore, Trichinopoly, Wallajahbad, St. Thomas' Mount and Poonamallee.

The manufacture and sale of spirituous and fermented liquors at the five General Military Bazars and within four miles around them will be conducted by the Commissariat Officers stationed there. At all other Military stations they will continue to be rented by the Collectors, subject however to such conditions where European troops may be quartered as the Commanding Officer may deem necessary for the health and discipline of the troops.

Independently of the local authority conferred by the Regulation, authority of a personal description is conferred by Section IV over all retainers of the Army for breach of Cantonment Regulations and by Section V for assaults and petty thefts: by Clause Third Section XI over Bazarmen attached to troops marching; and by Clause Second Section XVI over retainers of the Army and other persons amenable to Martial law for selling spirits to Europeans. In these instances the authority granted by the Regulation may be exercised over persons liable to it, although the general police and maintenance of the peace have not been vested in Commanding Officers.

With respect to the provision contained in Clause Third Section XI that for certain offences "all bazarmen of every description residing in military bazars, "the limits of which may have been fixed by the Government," that is to say general military bazars, it is proper to observe that mere inhabitants of such bazars are not amenable to Military law, unless, as the Section specifies, they reside there "for the purpose of supplying the troops and followers of the army." They must in fact be Military Bazarmen; and it is obvious that to stretch this provision beyond its strict limits would be not only unauthorized, but highly oppressive and unjust."

It seems only necessary to desire further that a liberal construction be given to Clause First Section XII, which provides for people of the better sort not being subjected to corporal punishment if it can be helped: that every case in which a person claiming exemption from corporal punishment under that Section shall notwithstanding be so punished, and every case in which any Bazarmen residing in a General Military Bazar shall be punished under Clause Third Section XI, be specially reported to Government by the Commanding Officer: that the Military Courts authorized by Section XVIII to try cases of simple debt be convened as often as occasion requires and their proceedings duly attended to; and finally that the endeavour be uniformly made to carry into effect the several provisions of the Regulation with as little severity, hardship or inconvenience to any of the individuals affected by them as may be consistent with the attainment of the ends in view.

Ordered that the foregoing Resolutions be published in G. O. to the Army and be communicated to the several Magistrates and Courts of Justice."

(A true Extract.)

[signature]

SEC. TO GOVERNMENT.

R

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23

JUDICIAL DEPARTMENT.

No. 274.

To the Collector & Magistrate

-RCULAR.) of Madura

SIR,

Para. 1st. It having been brought to the notice of the Honorable the Governor in Council that an Assistant Magistrate recently issued a Proclamation requiring the dealers in grain to keep and sell in the bazar a large quantity of grain as usual, under pain of severe punishment, and that the Criminal Judge of the same zillah passed sentences of heavy fine and imprisonment upon persons for raising and intending to raise the price of grain, I am directed to point out to you the illegality and impropriety of proceedings of such a nature.

2d. It is universally found that a free market adjusts the supply to the demand and the price to the expense of production with an accuracy and rapidity with which the most enlightened exercise of public authority could not vie. Supply and price must necessarily fluctuate with the circumstances on which they are dependent; but the free competition of buyers and sellers fixes them always for the time at the point which those circumstances denote. The case of a scarcity forms no exception to the general rule against the interposition of authority to augment the supply or reduce the price. If the crops have been scanty, no other means than those of a diminished supply and an encreased price will enable them to last through the year. The price must also rise to cover the encreased expense of production and importation. There is no danger that the price will rise higher or the supply fall lower than those objects require, since the competition among the dealers in grain will make them keep it at a fair price and their common interest will induce them in the course of the year to bring out the whole stock, for consumption.

3d. The whole duty of the Magistrate therefore consists in guarding against popular tumult and removing every impediment to the most perfect openness and freedom of the market. To punish dealers for not selling, or for selling too dear, is, besides the illegality of the proceeding, to pretend to understand their interest better than they do themselves.

4th. The Governor in Council trusts that your conduct will invariably be regulated by the principles explained above.

FORT ST. GEORGE,
12th July 1822.

I am,
Sir,
Your most obedient servant.

D. Hill

SEC. TO GOVERNMENT.

Political Department

49 24

To

The Magistrate of Madura

Sir,

Copies of your letter of the 16th of May, and its enclosure, having been forwarded for the consideration of His Excellency the Governor of Ceylon — I am directed by the Honorable the Governor in Council to transmit for your information the annexed copy of the reply received from Mr. Secretary Lusignan to that reference —

I am,

Sir,

your most obedient Servant

E. Hill
Chief Secretary

Fort St. George
16th August 1822.

1st July 1822

Edward

Edward Wood Esqr.

Chief Secretary to Government

Fort Saint George

Sir,

I am directed by His Excellency The Governor to acknowledge the receipt of your letter of the 28th Ultimo, and to acquaint you for the information of The Honble The Governor in Council at Fort Saint George, — that He does not see in the case of the Family of the late Rungappa Naik any circumstances which would warrant His continuing any part of the deceased's allowance to them. —

Kandyan Office
Colombo July 19th 1822

I have the honor to be &ca
(Signed) Geo. Lusignan
Secy for K. P.

(A true Copy)

[signature]
Chief Secretary

51
25

From Government

Dated 16th Augt 1822

Revenue Department

No 618

53
20

To

The Collector of

Madura

Sir,

I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the accompanying copy of General Orders bearing date the 6th instant.

Fort St George,
20th September 1822.

I am,
Sir,
your most obedient servant,
D Hill
Secretary to Govt.

G. Frampton

R

55

27

No. 514.

G. O. BY GOVERNMENT. FORT ST. GEORGE, *6th September* 1822.

The Honorable the Governor in Council deems it expedient to direct, that all Native Pensioners shall have the option of residing at such Stations or Villages as they may prefer; and that, when there may be no Military Officer at the places selected by the parties, they shall be mustered and paid by the Collectors or other Civil Authorities on the spot.

The Civil Officers, on whom such duties may devolve, will receive from the Paymasters of the nearest Stations copies of the Regulations published in G. O. 8th and 20th July 1816, with the form of Pay Abstract, Detailed Muster Roll, and Abstract Muster Roll on which the pensions are to be drawn, with such particulars connected therewith, as may be necessary for their information: and adhering to those forms, the Civil Officers will pay and muster the Pensioners, taking for their guide in the payment of each Individual, the sum specified in his or her Pension Certificate.

The Pensioners are to be paid on, or as soon after, the 1st of each month as may be practicable, and the amount is to be adjusted by the Civil Officers sending the Abstracts and Vouchers to the Paymasters, and receiving their amount, either in Cash or by deduction from the monthly supply of their Treasuries, as circumstances may render most convenient.

A copy of the Regulation published in G. O. 14th June 1822, regarding Chelsea Pensioners will, in like manner, be furnished to the Civil Officers who, when no Military Officer may be at the places of residence of those persons will pay and muster them in conformity thereto, adjusting the amount with Station Paymasters as above directed.

By order of the Honorable the Governor in Council.

(Signed) R. CLIVE,
SEC. TO GOVERNMENT.

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28

REVENUE DEPARTMENT.

SIR,

Circular. I am directed to transmit for your information the annexed extract from the Proceedings of the Honorable the Governor in Council relative to certain charges against Mr. T. A. Oakes, late Collector and Magistrate of Guntoor, which have been investigated by a Special Commission.

I am,

Sir,

Your most obedient servant.

FORT ST. GEORGE,
22d November 1822.

(Signed) D. Hill

SEC. TO GOVERNMENT.

(A true Copy)

H. C. Montgomerie

Secy. to Govt.

REVENUE DEPARTMENT.

Extract from the MINUTES *of* CONSULTATION *dated the 19th of November 1822.*

The charges against Mr. Oakes are four in number. The 1st charge is as follows.

That Mr. T. A. Oakes, late Collector and Magistrate of the Zillah of Guntoor, conspiring with Joopully Mullarow, since deceased, and others to obtain for the said Mullahrow the succession to, and possession of, the property, real and personal, of the late Venkata Goondarow, Zemindar of Innacondah, Bellumcondah, and Rachoor in the said Zillah, caused or permitted one Survatee Gopal row, an assistant Jewabnuvees in the public Establishment of the said Collector, to write a Will, whereby the real and personal property of the said Zemindar was bequeathed to the said Mullahrow. That the Will so written is ambiguously worded and, after the death of the Zemindar, was interpreted by Mr. Oakes as intending to confer the property on Mullahrow as heir, which interpretation there are grounds for considering to be contrary to justice, as well as to the real intention of the Testator himself, who is alleged to have been, at the time of the execution of the Will, in an imbecile state of mind.

The Governor in Council entirely concurs with the Judges and Commissioners in acquitting Mr. Oakes of this charge.

The 2d charge is as follows. That the late Collector and Magistrate, being present at, and engaged as before stated in, the preparation of the Will of the late Venkata Goondarow, did cause or permit a corrupt bequest of 10,000 Madras Pagodas to be made to one Kunchanapully Kroostnarow, known and acknowledged by Mr. Oakes to be his favorite and confidential servant.

The Governor in Council fully acquits Mr. Oakes of the corruption included in this charge and also of having in any degree "caused" the bequest of 10,000 pagodas to be made to his servant Kroostnarow. That he "permitted" its being made, in the sense of not having used his endeavours to prevent it, is not denied.

The 3d charge is as follows. That whether the Will was rendered intentionally ambiguous or otherwise, or whether it was framed agreeably to the real intention of the Testator or otherwise, yet, as in fact the Will was ambiguous, and as the right of Mullarow to be regarded as Heir instead of as Trustee or Manager, was disputed by the Widow of the Testator and others, his relations and dependants, the late Collector and Magistrate, Mr. Oakes, was guilty of many violent, partial, and unjustifiable acts in upholding the doubtful and as yet undetermined pretensions of the said Mullarow.

The Governor in Council acquits Mr. Oakes of this charge.

The 4th charge is as follows. That the late Collector and Magistrate did borrow money from the late Vencata Goondarow in violation of his public duty.

It is proved and admitted that Mr. Oakes on one occasion borrowed the sum of 14,000 rupees from the late Vencata Gondah Row, that he deposited Company's paper with the Zemindar as security for the loan, and that he repaid the principal with interest at 10 per cent. He is acquitted of having, on any other occasion, borrowed money from Gondah Row.

Having thus briefly stated the result of the investigation, it remains for the Governor in Council to pass his judgment upon it. The Governor in Council has the highest satisfaction in being able to pronounce that Mr. Oakes' conduct,

which has formed the subject of the investigation, is entirely free from any taint of corruption or any wilful breach of duty. Nevertheless, the Governor in Council is constrained to express the opinion that, in his conduct with regard to the legacy and the loan, he has violated his public duty and has disqualified himself from holding the office of Collector and Magistrate of the district where those transactions occurred and have been publicly investigated.

The principle upon which the Legislature has prohibited the acceptance of gifts or presents, and the lending of money by the officers of Government is to prevent extortion, on their part, or in their name, from the natives placed under their protection; and the same principle applies to borrowing money as well as to lending. It must always be difficult and often impossible to discover how far any gift, present or legacy to any public officer, or to any of his public or private servants, or any money-transaction between them and the inhabitants of their district, may be influenced by the hope of favour or the fear of spite, which virtually renders it extortion in the powerful party and bribery or compliance in the weak. The absence of a corrupt motive on the one side does not render the transaction fair and free on the other; and therefore does not prevent the breach of public duty which such a transaction implies.

It is not merely the protection of the native inhabitants against this sort of extortion, (whether corrupt, as in its worst character, or unintentional, as in Mr. Oakes' case), but also the estimation in which the Government and its servants are to be held by the people, which indispensibly requires that no money-transactions should take place between public officers and those living under their protection. If the absence of a corrupt motive on the part of public officers in such transactions would not protect the natives from the influence of hope and fear and from the extortion produced by that influence; neither would it shelter public officers from unworthy imputations on their conduct, or the Government from an unavoidable loss of reputation and authority. Those who bestowed gifts or legacies on public officers or their servants, or who accommodated them with loans or with interest for their money, would conceive that they had laid them under an obligation, and, by the possession of a dangerous secret, held them in their power; and the same impression would become general throughout the district. The reciprocal duties of protection and allegiance between Government and its subjects would be considered by the people as having given place to the more intimate relation of private interest between the servants of Government and favoured individuals: corruption would be resorted to even where no more than justice was required; and corrupt motives would be imputed even where no more than justice had been done.

It is believed that the principles above explained are to be traced out in the Acts of the Legislature and in the Regulations of the Government; but, being incontrovertible, the Governor in Council would deeply regret if any Civil Servant of the Company should insist on their being formally promulgated, before acknowledging their obligation. The purity of the Civil Service could not be maintained, nor its duties discharged, if acts of corruption or impropriety on their part could only be defined by rules and denounced by penalties and were not repudiated by an innate sense of honour. In pronouncing, therefore, that Mr. Oakes' conduct, in not using his endeavours to prevent the legacy to his servant and in borrowing money from the Zemindar, amounts to a violation of his public duty, it is not meant either that he has been guilty of corruption, of which the Governor in Council most fully acquits him, or possibly that he has broken the letter of any rule expressly laid down for his guidance; but that he has violated those obvious and fundamental principles of public duty, on which the purity and reputation of the public service and the well-being of the people essentially depend.

The Governor in Council however is happy in doing Mr. Oakes the justice to observe that the impropriety necessarily attaching to his conduct, with regard to the legacy and loan, upon the principles explained in these procedings, has not been aggravated by the circumstances of the two transactions. There is no

evidence before the Commission that any influence was employed by him to procure the legacy to his servant: there is evidence on the contrary that there was friendship and intimacy between the Zemindar and the servant: there is evidence also that the legacy was not left to the servant on Mr. Oakes' account; and it is natural to suppose that, on a sudden emergency and almost in a death-bed scene, Mr. Oakes, without the guidance of any precedent or of express instructions, might be taken by surprize, and might act with less than ordinary discretion and propriety.—In the same manner, it appears in evidence with respect to the loan that this is a solitary instance in which he borrowed money from any person under his authority: that he gave ample security and paid a high rate of interest for the loan; that the occasion on which he borrowed it was pressing, the time short and the amount small.—In all these respects, the inherent impropriety of the two transactions might certainly have been much enhanced and might have swelled into a high degree of criminality. The want of such aggravations has not only relieved Mr Oakes from all suspicion of corrupt motive, but leaves the Government free to take advantage of his talents as a public servant in any district except Guntoor, so soon as he shall have become sensible of that impropriety in his conduct which he has hitherto endeavoured to justify.

In order that hereafter no public servant may from inadvertence fall into the errors which Mr. Oakes has committed, and that the principles may be well understood on which the Governor in Council considers it a violation of public duty in any Revenue or Judicial Servant of the Government to have any money-dealings with the native inhabitants living under his authority, or in any degree to sanction any gift or legacy to his servants, public or private, from such inhabitants, it is deemed advisable that a copy of the foregoing proceedings should be circulated for the information of the Revenue and Judicial branches of the service. This mode of communicating the sentiments of Government will have the further effect of preventing any impressions to the prejudice of Mr. Oakes' personal integrity and honour, which the communication might otherwise produce, after his removal from office and the protracted investigation which has ensued.

The Governor in Council also thinks it proper to intimate that the practice of Judges and Collectors attending to attest the Wills of natives of rank, which, with the best intentions, seems to have prevailed in the Northern Circars, is considered as calculated to produce more evil than good and, unless under special circumstances, should be discontinued.

(A true extract.)

(Signed) D. Hill

Sec. to Government.

(A true Copy)

[illegible]

Secy. to Govt.

Revenue Department

No. 71

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To
The Collector
of
Madura.

Sir,

With reference to my letter of the 20th September 1822, I am directed by the Honourable the Governor in Council to transmit for your information and guidance the annexed copy of General orders bearing date the 21st instant. —

I am,
Sir,
Your most obedient servant,

D. Hill
Secy to Govt.

Fort St. George,
21st January, 1823. —

Exd
Wm Graham

No. 19.

Fort St. George,
21st January, 1823.—

G. O. By Government.

With reference to the General Order of the 6th September last, the Hon'ble the Governor in Council has been pleased to direct, that the option of residence therein conferred on all Native Pensioners, be confined to the station or district which they may choose on first being transferred to the Pension List, If, in any special case a change of residence should afterwards be solicited or become expedient, an application is to be made to the Superintendent of Pensions, who will give the necessary instructions on the subject, but without his previous authority no removal is to take place.—

The Civil authorities in whose district native Pensioners have taken up their residence, are required to furnish the Superintendent with a Register of the Names, Rank, Class

and

and Residence – and with regular Monthly Returns, of the Pensioners who are mustered and paid by Collectors, &c. in their districts respectively. –

Any Casualty occurring by Death or Removal from one district to another is to be carefully notified and, in the former case, the Pension Certificate of the deceased is to be for-warded with the first monthly Return after such Casualty shall have taken place. –

The Superintendent of Pension is authorized to correspond with the different Civil authorities on subjects connected with these duties. –

On the Death of European officer at any Military station, the Com-manding or Staff officers, and in any district where there may be no Military station, the Civil authority will report such Casualty to the Superintendent

Superintendent of Family Payments and Pensions. –

By order of the Honourable the Governor in Council.

signed / Rd. Clive,
Secy to Govt.

(A true copy)

signed / Rd. Clive,
Secy to Govt.

(A true copy)

D. Hill
Secy to Govt.

From the Secretary to Government Dated 31st Jany 1823.

Exd
Wm. Cunliam

Answered
16 April 1823

Political Department.

65
32

To

The Collector of

Madura.

Sir,

Para 1. With reference to your letters of the 17th of January, and their enclosures, I am directed by the Honorable the Governor in Council to transmit for your information the subjoined copy of a dispatch from the Secretary for the Kandian Provinces.

[illegible] March 1823

2 Regarding the claim of Comarasawmy, son of Permaul Sawmy Naik, noticed in its conclusion, I am to desire that you will report what portion of the pension of the late Permal Sawmy Naik, it may appear to you to be proper to assign for the maintenance of his son and family.

I am

Fort St. George

[illegible] April 1823.

Sir,

Your Most Obedient Servant.

[illegible]
Chief Secretary

To Edward Wood Esqre.
Chief Secretary to Government.
Fort Saint George.

Sir,

I have the honor to acknowledge the receipt of your Letters of the 6th and 18th ultimo conveying representations on behalf of the relations of deceased Kandyan Prisoners for aid from this Government, I am in reply directed by the Lieutenant Governor to request you will submit to the Honorable the Governor in Council at Fort Saint George, that on the principle already represented to you, as that by which this Government is obliged to abide of not perpetuating Pensions, His Excellency considers, that the Children of Kulsawmy respecting whom no information previously existed on the Records of this Government, cannot receive any allowance from this Government.—

The claim of Comarasawmy son of Permaul Sawmy Naik appears to rest on

different

33 (6)

different and better grounds. - His Father was not a Prisoner, but a refugee to the British Government from the tyranny of the then existing Government in Kandy, and the Lieutenant Governor therefore would wish a portion of the pension he enjoyed to be assigned at the discretion of the Honorable the Governor as to the amount to the maintenance of his Son and Family.

Kandyan Office
Colombo March, 15th 1823.

I have the honor to be. -
Sir,
Your most obedient Servant. -
(Signed) Geo. Lusignan
Secy. Kn. Provs.

(A True Copy)

Ed. J. Barnes [illegible]
Chief Secretary.

From the Chief
Secretary to Govt.
Dated 1st Apl

Political Department.

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34

To,

The Collector of

Madura.

Sir,

I am directed to acknowledge the receipt of your letter of the 16th of April, with it's enclosure; and to state the desire of the Honorable the Governor in Council that two-thirds of the pension enjoyed by the late Permaul Sawmy Naik may be continued for the support of his family—in arrear from the date of his decease.—

Fort St. George
[illegible]th June, 1823.—

I am,
Sir,
Your most Obedient Servant
E. Wood
Chief Secretary.

Ex:d
J. McDaniel

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JUDICIAL DEPARTMENT.

CIRCULAR.

To R. Peter Esqre Madura

Sir,

I am directed to transmit for your information the subjoined Extract from the proceedings of the Honorable the Governor in Council under this date.

I am,

Sir,

Your most obedient Servant,

[signature]

SEC. TO GOVERNMENT.

FORT ST. GEORGE,
27th February 1824.

EXTRACT from the Proceedings of the Honorable the Governor in Council dated 27th February 1824.

The Honorable the Governor in Council is pleased to circulate, for the information of the Civil Service, the following Extract of a letter from the Honorable the Court of Directors under date the 8th of October 1823.

Para. 33. " In a Memorial which Mr. Ellis has thought proper to address to us since his arrival in this Country soliciting our favourable consideration of his case and praying either that he may be restored to the Service or allowed to resign it, he hesitates not to declare, with reference to his pecuniary transactions which had been brought to light that " the practice reprehended by the Madras Government " on this point, did not attach to him alone :" but, " on the con- " trary *it had been universally the practice both in the Revenue and " Judicial Departments for Civil Servants to have recourse to wealthy Indi- " viduals residing in their Districts to obtain loans of money,"* or as he says in another part of the Memorial *" he had done no more than hundreds " of Civil Servants had done before him."* Though the sentiments we entertain of the character of the Madras Civil Service would alone forbid us to place any confidence in these assertions of Mr. Ellis, we nevertheless think it proper to bring them to your knowledge ; and we desire that you will direct a particular enquiry to be made into the extent to which such abuses have existed if they shall be found to have existed at all, with a view of effectually preventing the continuance of practices so disreputable to the character of the Civil Service.

34. " We have stated that we consider the oath taken by our Judicial Servants to be in its spirit if not in its letter clearly prohibitory of such practices ; but in order to exclude all possible doubt that it is intended to prevent such practices some effectual means should be taken to promulgate to all whom it may concern under your Government that such practices are intended by that oath to be positively and strictly forbidden and will subject them to the penalties consequent on the breach of it."

The Governor in Council also thinks it proper to call the attention of the Civil Service to the principles explained to them in the Proceedings of Government under date the 19th of November 1822, as prohibiting on their part the acceptance of any favour from natives living under their authority and protection, as well as all pecuniary transactions with such natives. The influence of official authority operates in transactions of that nature, even when it is not meant to be exerted ; and unworthy motives of public conduct come afterwards to be imputed, even when the conduct itself is unexceptionable. The obligations of public duty prohibit every transaction, by which, not merely the purity, but the independence or reputation of a public officer may be compromised.

The Governor in Council feels confident that these principles are in accordance with the confirmed sentiments of the Civil Service ; and moreover is satisfied both that their force would be weakened by any attempt to enumerate the cases to which they apply, and that the honour and integrity of the Civil Service may with safety be left in their own keeping.

(True Extract.)

[signature]

SEC. TO GOVERNMENT.

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R

Revenue Department.

Circular.

To R. Peter Esqr.

SIR,

I am directed to transmit the accompanying copy of a Minute of Council of this date, for your information and guidance.

I am,

Sir,

Your most obedient Servant,

D Hill

Chief Secretary.

FORT ST. GEORGE,
25th *March* 1825.

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Revenue Department.

MINUTE

Of the HONORABLE *the* GOVERNOR *in* COUNCIL, *25th March, 1825.*

The Honorable the Governor in Council had thought it desirable that some rules should be framed for the guidance of the Officers of Government with the Natives of India. This has been rendered unnecessary by Sir John Malcolm's Instructions to his Assistants and the Officers acting under his orders, dated 28th June, 1821, in which he states fully and clearly every thing that can be wanted for the object in view.

The directions which follow are extracted from that paper: They can hardly be perused without advantage; and the Governor in Council cherishes the hope that every Public Officer, for whose use they are intended, will be guided by the spirit which pervades them.*

By order of the Honorable the Governor in Council.

D. HILL,

Chief Secretary.

Our success and moderation, contrasted with the misrule and violence to which a great part of the population of India have for more than a century been exposed, have at this moment raised the reputation of the British Nation so high, that men have forgotten, in the contemplation of the security and prosperity they enjoy under strangers, their feelings of patriotism; but these are feelings which that very knowledge that it is our duty to impart must gradually revive and bring into action. The people of India must, by a recurring sense of benefits, have amends made them for the degradation of continuing subject to foreign masters; and this can alone be done by the combined efforts of every individual employed in a station of trust and responsibility, to render popular a government which, though not national, has its foundations laid deep on the principles of toleration, justice, and wisdom. Every agent of government should study and understand the above facts. He should not content himself with having acquired a knowledge of the languages, and of the customs, of those with whom he has intercourse. All his particular acts (even to the manner of them) should be regulated by recurrence to the foundation of our rule, and a careful observation of those principles by which it has been established and can alone be maintained. Of the importance of this I cannot better state my opinion, than by expressing my full conviction, that, independent of the prescribed duties which every qualified officer performs, there is no person in a situation of any consequence who does not, both in the

substance and manner of his conduct, do something every day in his life, which, as it operates upon the general interests of the empire through the feelings of the circle he controls or rules, has an unseen effect in strengthening or weakening the government by which he is employed. My belief that what I have assumed is correct, will be my excuse for going into some minuteness in my general instructions to those under my orders.

The first and one of the most important points, is the manner of European superiors towards the Natives. It would be quite out of place, in this paper, to speak of the necessity of kindness, and of an absence of all violence; this must be a matter of course with those to whom it is addressed: there is much more required from them than that conciliation which is a duty, but which, when it appears as such, loses half its effect. It must, to make an impression, be a habit of the mind, grounded on a favourable consideration of the qualities and merits of those to whom it extends; and this impression, I am satisfied, every person will have, who, after attaining a thorough knowledge of the real character of those with whom he has intercourse, shall judge them, without prejudice or self-conceit, by a standard which is suited to their belief, their usages, their habits, their occupations, their rank in life, the ideas they have imbibed from infancy, and the stage of civilization to which the community as a whole are advanced. If he does so, with that knowledge and that temper of mind which are essential to render him competent to form an opinion, he will find enough of virtue, enough of docility, and disposition to improve-

ment, enough of regard and observance of all the best and most sacred ties of society, to create an esteem for individuals, and an interest in the community; which, when grounded on a sincere conviction of its being deserved, will render his kindness natural and conciliating. All human beings, down to the lowest links of the chain, inclusive of children, are quick in tracing the source of the manners of others, and, above all, of their superiors:—when that is regulated by the head, not the heart; when it proceeds from reason, not from feeling, it cannot please; for it has in it, if at all artificial, a show of design which repels, as it generates suspicion. When this manner takes another shape, when kindness and consideration appear as acts of condescension, it must be felt as offensive. Men may dread, but can never love or regard, those who are continually humiliating them by the parade of superiority.

I have recommended those foundations of manner, towards the Natives of India, upon which I feel my own to be grounded. I can recollect (and I do it with shame) the period when I thought I was very superior to those with whom my duty made me associate; but as my knowledge of them, and of myself, improved, the distance between us gradually lessened. I have seen and heard much of our boasted advantages over them, but cannot think that, if all the ranks of the different communities of Europe and India are comparatively viewed, there is just ground for any very arrogant feeling on the part of the inhabitants of the former: nor can I join in that common-place opinion which condemns in a sweeping way the Natives of this country as men,

taking the best of them, not only unworthy of trust, and devoid of principle, but of too limited intelligence and reach of thought, to allow of Europeans, with large and liberal minds and education, having rational or satisfactory intercourse with them. Such impressions, if admitted, must prove vital as to the manner of treating the Natives of India: I shall therefore say a few words upon the justice of the grounds upon which they rest. The man who considers them in this light can grant little or no credit to the high characters and the eulogies which are given to individuals and great bodies of men in their own histories, traditions, and records. He must then judge them by his own observations and knowledge, and his opinion will in all probability be formed not comparatively with Europeans of their own class of life, but with the public servants of government: a class of men who are carefully educated, whose ambition is stimulated by the highest prospects of preferment, and whose integrity is preserved by adequate salaries through every grade of their service. Before this last principle was introduced, (which is little more than thirty years,) the European servants of government were in the habit of making money in modes not unsimilar to those we now reproach the Natives in our employ with doing; and it may here be asked, if the same endeavours have been made to alter the habits of the latter as the former. I believe the exact contrary to be the fact, and that the system since introduced has not operated more to elevate the European, than to sink and depress the Native character; but this is not the place for the discussion of this large question.

Many of the moral defects of the Natives of India are to be referred to that misrule and oppression from which they are now in a great degree emancipated. I do not know the example of any great population, in similar circumstances, preserving, through such a period of changes and tyrannical rule, so much of virtue and so many good qualities as are to be found in a great proportion of the inhabitants of this country. This is to be accounted for, in some degree, by the institutions of the Hindu, particularly that of Caste, which appears to have raised them to their present rank in human society, at a very remote period; but it has certainly tended to keep them stationary at that point of civil order to which they were thus early advanced. With a just admiration of the effects of many of their institutions, particularly those parts of them which cause in vast classes not merely an absence of the common vices of theft, drunkenness, and violence, but preserve all the virtuous ties of family and kindred relations, we must all deplore some of their usages and weak superstitions: but what individuals or what races of men are without great and manifold errors and imperfections, and what mind that is not fortified with ignorance or pride can, on such grounds, come to a severe judgment against a people like that of India.

I must here however remark, that I have invariably found, unless in a few cases where knowledge had not overcome self-sufficiency and arrogance, that in proportion as European officers, civil and military, advanced in their acquaintance with the language and customs of the Natives of India, they became more sincerely kind to them; and, on the contrary, ignorance always

accompanied that selfish pride and want of considera-tion which held them light, or treated them with harsh-ness.

I am quite satisfied in my own mind that if there is one cause more than another, that will impede our pro-gress to the general improvement of India, it is a belief formed by its population, from the manner of their English superiors, that they are viewed by them as an inferior and degraded race: but, on the contrary, if the persons employed in every branch of the administration of this great country, while their conduct marks those rigid principles of virtue and justice, under the check of which they act, comport themselves towards the people whom it is their duty to make happy with that sincere humility of heart which always belongs to real knowledge, and which attaches while it elevates, they will contribute by such manner, more than any mea-sures of boasted wisdom ever can, to the strength and duration of their government.

It is of importance, before I conclude this part of the subject, to state my opinion, that in our manner to the Natives, though it is our duty to understand and to pay every proper deference to their customs and usages, and to conform to these as far as we can with propriety, particularly on points where the religious prejudices or the rank of those with whom we have intercourse require it, yet we should always preserve the Europe-an; for to adopt their manners is a departure from the very principle on which every impression of our supe-riority that rests upon good foundation is grounded. We should take a lesson on such points from what we see occur to Native Princes and others, who ape English

habits and modes: they lose ground with one class—that to which they belong, without gaining with the other—that to which they wish to approximate. The fact is, they ultimately lose with the latter, for even their attachment is useless, when they cease to have influence with their own tribe. The European officer who assumes Native manners and usages may please a few individuals, who are flattered or profited by his departure from the habits of his country; but even with these, familiarity will not be found to increase respect, and the adoption of such a course will be sure to sink him in the estimation of the mass of the community, both European and Native, among whom he resides.

The intercourse to be maintained with the Natives within your circle is of two kinds,—Private and Official.

The first should extend as much as possible to all ranks and classes, and be as familiar, as kind, and as frequent, as the difference of habits and pursuits will admit.

There is a veil between the Natives of India and their European superiors, which leaves the latter ignorant, in an extraordinary degree, of the real character of the former. He can only judge his own domestics by what he sees of their conduct in his presence; of the manner in which they perform their other duties in life, he is, if not ignorant, but imperfectly informed: so many minute obstacles, grounded upon caste, usages, and religion, oppose an approach to closer acquaintance, that it can never be generally attained; but in private intercourse much may be learnt that will facilitate the performance of public duty, and give that knowledge of the usages and feelings

of the various classes of the Natives, which will enable its possessors to touch every chord with effect. In joining with them in field sports, in an unceremonious interchange of visits with the most respectable, and in seeking the society of the most learned, the European public officer will not only gain much information, but impart complete confidence, and lay the grounds of that personal attachment which will ever be found of the greatest aid to his public labours. He will also obtain by such habits of private intercourse the means of elevating those he esteems by marks of notice and regard; but in pursuing this course he must beware, lest he lose his object by falling into the weaknesses or indulgences of the persons with whom he thus associates. It is in the performance of this part of his duty, when all the pride of station is laid aside, that he must most carefully guard that real superiority, which he derives from better knowledge and truer principles of morality and religion; for it is from the impression made by the possession, without the ostentation, of those higher qualities, that he must expect the benefits I have described as likely to result from a familiar and private intercourse with the Natives under his direction and control.

In all official intercourse with the Natives, one of the first points of importance is, that these, whatever be their rank, class, or business, should have complete and easy access to personal communication with their European superior. The necessity of this arises out of the character of our rule, and of those over whom it is established. It is sufficiently galling for the people of India to have foreign masters; the impression this feeling must continually excite can only be mitigated

or removed by a recurring sense of the advantages they derive from the wisdom and justice of their European superiors, and this can alone be effected by direct communication with them. Though Native servants must be employed and trusted, and though it is quite essential to behave to all with kindness, and to raise the higher classes of them by a treatment which combines consideration and respect, yet they can never without hazard be used as exclusive mediums of communication: their real or supposed influence will, under whatever circumstances they are allowed frequent approach to an European officer in the exercise of authority, give them opportunities of abusing his confidence if they desire it; and as our servants, who are seldom selected from the higher classes, cannot be supposed to have even the same motives with those of Native rulers for good conduct, much less the same title to regard, men under our power will have, in aggravation of the feeling arising out of subjection to foreign rule, that of being to a certain extent at the mercy of persons of their own nation whom they neither trust nor respect. There is no remedy for such an evil except being completely easy of access; but this, however much the superior may desire it, is not to be established without difficulty and perseverance. It affects the interest and consequence of every man in his employ from the highest to the lowest; but in proportion to their efforts to counteract it, so must his be to carry this important point on which, more than all others, the integrity of his personal administration and the good of the country depend. No Native servant, high or low, must be allowed the privilege of either introducing or stopping

an applicant or a complainant; all such must come with confidence to the European superior, or to such assistant as he may specifically direct to receive or hear them. It requires much temper and patience, constant activity, and no slight sacrifice of personal comfort, to maintain an intercourse with the Natives upon this footing; but unless it be done, (I speak here from the fullest experience,) the government of control now established in Central India cannot be carried on for any period, and the changes which must ensue from relaxation in this particular will be brought about in the manner most unfavourable to our character and reputation.

It has been before said, that Native servants of all classes should be treated with that attention and respect to which they were from their station and character entitled. These will, of course, have at all times the freest intercourse with the superior, but they should never have the privilege of coming to any conference between him and other Natives to which they were not specifically called. But these servants (whatever might be their inclinations) will have little power of doing harm, when a direct intercourse (such as has been described) is well established, and its principles and objects generally understood. Indeed, one of the best effects of that intercourse is the check it constitutes on all nefarious proceedings of subordinate agents, and persons of every description; as such must act in hourly dread of discovery, when every man can tell his own story to the principal at any moment he pleases.

The next important point, to be observed in official intercourse with the Natives, is "Publicity." There

can be no occasion to expatiate, here, upon the utility of this principle. It is the happy privilege of a state so constituted as that of the English in India, to gain strength in the ratio that its measures, and the grounds on which they are adopted, are made public; and this is above all essential in a quarter of India where we are as yet but imperfectly understood. There are and can be no secrets in our ordinary proceedings, and every agent will find his means of doing good advanced, his toil lessened, and the power of the designing and corrupt to misrepresent his actions or intentions decreased, in the proportion that he transacts affairs in public. He should avoid, as much as he possibly can, private conferences with those in his employ or others. These will be eagerly sought for; they give the individual thus admitted the appearance of favour and influence; and there is no science in which the more artful among the Natives are greater adepts, than that of turning to account the real or supposed confidence of their superiors. I know no mode of preventing the mischief which this impression, if it becomes general, gives men the power of effecting, but habitual publicity in transacting business. This will, no doubt, be found to have inconveniencies, which will be purposely increased by those who have their game to play, and indeed others; for Natives of rank and station, even when they have no corrupt views, are from habit and self-importance attached to a secret and mysterious way of conducting both great and small affairs.

The forms of the official intercourse between European agents and Natives of rank were, before we

obtained paramount power, a matter of mere moment, and one on which we could less relax than at present, because our motives were at that period more liable to be mistaken. Though it is essential in our intercourse with nations who are attached to, and give value to, ceremonies, to understand such perfectly, and to claim from all what is due to our station, that we may not sink the rank of the European superior in the estimation of those subject to his control; it is now the duty of the former to be much more attentive to the respect which he gives than what he receives, particularly in his intercourse with men of high rank. The Princes and Chiefs of India may, in different degrees, be said to be all dependent on the British government: many have little more than the name of that power they before enjoyed; but they seem, as they lose the substance, to cling to the forms of station. The pride of reason may smile at such a feeling; but it exists, and it would be alike opposite to the principles of humanity and policy to deny it gratification.

In official intercourse with the lower classes, the latter should be treated according to the usages of the country, as practised by the most indulgent of their Native superiors. It will be found that they require personal notice and consideration in proportion as their state is removed from that knowledge which belongs to civilization; and it is on this ground that the Bheel must have more attention paid him than the Ryot. It is more difficult to give confidence to his mind, and to make him believe in the sincerity and permanence of the kindness with which he is treated, because he is in a condition more remote from the

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party with whom he communicates, and, before he can be reclaimed, he must be approximated.

* * * * * * * *

That the line of interference which has been described is difficult, will not be denied; but what course can we discover for the future rule and control of the different Native states in India, which does not present a choice of difficulties? Men are too apt, at the first view of this great subject, to be deluded by a desire to render easy, and to simplify, what is of necessity difficult and complicated. Moral considerations come in aid of the warmest and best sentiments of the human mind to entice us to innovation: we feel ourselves almost the sharers of that crime and misrule which we think our interference could mitigate or amend; and in the fervour of our virtue we are too apt to forget, that temporary or partial benefit often entails lasting and general evil,—that every plan, however theoretically good, must be practically bad, that is imperfectly executed. We forget, in the pride of our superior knowledge, the condition of others; and self-gratification makes almost every man desire to crowd into the few years of his official career, the work of half a century. Thus measures have been, and continue to be brought forward, in advance of the community for whose benefit they are intended. Of what has passed it is not necessary to speak; the future is in our power, and I cannot conclude this part of the subject, which relates to an interference that is calculated, according as it is managed, to hasten or retard the introduction of our direct rule, without impressing upon every officer employed under my orders the importance of a conduct calculated to

preserve, while it improves, the established governments and native authorities of the country. To these it is his duty to give such impulse as he can without injuring their frame, towards an amendment suited to their situation, to the character of the rulers, and to that of the various classes under their rule. I consider, and the opinion is the result of both experience and reflection, that all dangers to our power in India are slight in comparison with that which is likely to ensue from our too zealous efforts to change the condition of its inhabitants, with whom we are yet, in my opinion, but very imperfectly acquainted. A person who entertains such sentiments as I do upon this question, must appear the advocate of very slow reform; but, if I am so, it is from a full conviction that any thing like precipitation in our endeavours at improvement is likely to terminate in casting back those we desire to advance; —on the contrary, if, instead of over-marching, we are content to go along with this immense population, and to be in good temper with their prejudices, their religion, and usages, we may gradually win them to better ways of thinking and of acting. The latter process, no doubt, must be one of great time; but its success will be retarded by every hasty step.

There are few points on which more care is required than the selection and employment of Native servants for the public service. The higher classes of these, such as Moonshees, Mootsuddies, and Writers, should be men of regular habits of life, intelligent, and of good characters in their own tribes. There is no objection to an officer continuing to keep in service a person he has brought from a distant province, who

has been long with him, and on whose fidelity and competence he can repose; but, generally speaking, it is much better to entertain respectable Natives or old residents of the country in which he is employed; such may have looser habits and be less attached, but the former his vigilance will check and correct, and attachment will soon be created by kindness and consideration. Their advantages over foreigners are very numerous. The principal are, their acquaintance with the petty interests of the country, and their knowledge of all the prejudices and the jealousies of the different classes of the community to which they belong. On all these points the superior should be minutely informed, and, if he employs men not personally acquainted with the disposition and condition of those under his charge or control, his information on such subjects must come through multiplied mediums, which is in itself a serious evil. But, independent of this, the employment of the Natives of a distant province is always unpopular, and they are generally viewed with dislike and suspicion by the higher and more respectable classes of the country into which they are introduced. This excites a feeling in the minds of the former, which either makes them keep aloof from all connexion with the inhabitants, or seek the society, and use as instruments, men who are discontented or of indifferent character. It is difficult to say which of these causes has the worst effect. The one gives an impression of pride, if not contempt, and the other of design and an inclination to intrigue; and both operate unfavourably to the local reputation of the master.

I have observed, that the Natives who are least

informed of the principles of our rule, are ready to grant a respect and confidence to an English officer, which they refuse to persons of their own tribe; but they are apt to form an unfavourable opinion of his disposition and character from any bad conduct of his Native servants, if foreigners; on the contrary, when the latter are members of their own community, the exposure of their errors or crimes, while it brings shame and conveys a salutary lesson to the class to which they belong, is attended with the effect of raising, instead of depressing, the European superior in their estimation.

In the employment of the higher classes of Native servants, they should, as much as possible, be restricted to their specific duties, and no one should be allowed to take a lead, or mix (unless when directed) in the occupation of another. The keeping of these persons in their exact places will be found difficult, from the habits of the Natives being opposite to such rules; but it is essential; for errors, if not guilt, will be the certain consequence of a confusion of duties, which destroys that pride which good men feel from possessing confidence, and enables bad to evade that personal responsibility which constitutes the chief check upon their conduct.

The employment of the lower classes of public servants requires much attention. These should be selected on the same principles that have already been stated, with reference to the duties they are to perform, which ought always to be exactly defined; and their conduct vigilantly watched. It will indeed be found useful to render as public as possible the nature of

their employment, and to call upon all local authorities to aid us in the prevention of those unauthorized and odious acts of injustice and oppression towards the inhabitants of the country which this class will, in spite of all our efforts, find opportunities of committing. I speak from the fullest experience when I state, that, though the Natives of India may do full justice to the purity of our intentions and the excellence of the principles of our rule, they are undisguised in their sentiments regarding those parts of our administration in which the very dregs of their own community are employed. They cannot, indeed, but see with feelings of detestation and resentment a man raised from the lowest of their own ranks, and decorated with the official badge or stick of a civil or political English officer, become the very next moment insolent to persons to whom he and his family have been for ages submissive, or turn the extortioner of money from those tribes among which he has before lived as an humble individual.

The power of this class of servants to injure our reputation is every where great, but more so in the proportion that the Natives of the country are ignorant of our real character, and where their dread of our power is excessive. Of the mischief they have done, or rather tried to do, in Malwa, I can speak from a perfect knowledge. I have endeavoured with unremitting solicitude to counteract their impositions and oppressions, by publishing proclamations and giving high rewards to all who informed against or seized any of my servants when attempting the slightest interference in the country, or affecting to have any

business beyond that of carrying a letter, or some specified or limited duty; but I have, nevertheless, been compelled within three years to punish publicly, and discharge, one Moonshee, two Mootsuddies or Writers, three Jemadars, and upwards of fifty Hircarrahs; and almost an equal number of the same class belonging to other public officers have been taken and punished, or banished the country. These examples will shew the danger of being tempted, by any convenience of service, or a desire to accelerate the accomplishment of our objects, to employ such instruments with any latitude of action.

One of the most effectual means that you have to maintain the peace, is that of exerting yourself to render all (even the poorest and wildest classes) sensible of the benefits they derive from your protection. There is no point in which this is more required than against the excesses of our troops, camp-followers, merchants who have passes, and, in short, all who on any ground use the British name. The governments of the different Presidencies have been long sensible of this evil, and have endeavoured by the strictest orders and proclamations to correct it. The pressing of begaries and hackeries has been positively forbidden; but these orders must be enforced with a rigorous and uncompromising spirit by the civil and political authorities, otherwise they will prove unavailing. This is a point of duty in which I consider those under my orders to have no option or latitude; in the present condition of Central India it is one of too much importance, both as it relates to the temper of the inhabitants, and the reviving prosperity of the country,

to warrant any deviation, either for the accommodation of individuals or the public service. The former, when no longer encouraged by improper or unwise indulgence to trust in any way to the country, will soon learn to be independent of its aid; public departments will in like degree become, from providing for their own wants, more efficient; and when the inhabitants are satisfied that it is not in the power of any person, whatever be his rank, to press them or their cattle, they will be inspired with a confidence that will lead to their furnishing more resources to troops and travellers, from a desire of profit, than has ever yet been extorted by an oppressive system; which, according to all Natives I have heard speak upon the subject, has been carried to as great, if not greater lengths in countries subject to our rule and control, than in the worst of their own governments.

Judicial Department

No. 491 (48)

To The Principal Collector
of Madura

Sir,

I am directed by the Hon'ble the Governor in Council to transmit to you the accompanying copy of a letter from a Gomashtah of Sevacamy Natchiyar, one of the claimants of the Zemindary of Ramnad, and to desire, that you will state, whether a reference has been made to you by the Provincial Court, as therein stated, respecting securities tendered on the part of Sevacamy Natchiyar, and if such a reference has been made

made, that you will inform the
Government of the result.

I am,

Fort St. George Sir,

23d December 1825 Your most obedient Servant,

C. M. Macleod
Secry to Govt.

T. Hampton

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From the Secrety
to Government
Dated 23d. Decemr
1825

R

(101)

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To

The Right Hon'ble Sir Thos. Munro K.C.B.
Governor &c. &c. &c.

Right Hon'ble Sir,

With due Submission I beg leave to lay before you the claims of Rannee Seevagamy Naut-chear to the zemindary of Ramnad with Copies of Documents in support of the same and trust your Excellency will be pleased to give them an attentive Perusal and see justice done in directing the restoration of her rights. I should not now have troubled your Excellency but I have so repeatedly tendered Securities to the Collector of Madura without receiving any answer although he was called upon by the Provincial Court a few Months ago to state if they were unexceptional and the Tahsildar having reported they were worth more than what was

required

required, that I am induced to believe some of the People connected with his Cutchery are in some way con-cerned in preventing my receiving a reply, and I now trust your Excellency will be pleased to direct a Decree to be passed from the Sudder Court for the restoration of her rights— I beg leave to trouble your Excellency with a Statement of the case from the year 1795 to the present date wherein you will see that the parties claiming the Zemindary are all dead and consequently notwith-standing her legal right to the Zemindary before now I am induced to hope all difficulties are at an end and that she may through your Excellencies favor be delivered over the Zemindary in question.—

I beg leave to inclose a Copy of a Letter from the Secretary to Government dated 20th November 1812, shewing my

Authority

Authority for bringing the case forward and trusting your Excellency will — Excuse the trouble I am giving beg to remain —

...opoly,
...ber, 1825.

Honorable Sir,
your obedient humble
Servant.

(Signed) [illegible]

(a true copy)

J. Macleod
Secy to Govt.

...ardson —

This letter recd from the Magte Mr. [illegible] file it in the [illegible] 6 Feb/55

Political Department

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To,

The Principal Collector

Madura,

Sir,

With reference to your letter of the 31st March last, I am directed by the Hon'ble the Governor in Council to transmit to you the accompanying copy of a letter from the Deputy Secretary to Govt at Columbo, and to desire that the family of the late Kandyan prisoner Rangomah Naick may receive the allowance therein authorized from the date of his decease.

I am

Sir,

Your most Obedient Servant

D. Hill

Chief Secretary

Fort St. George
30th May, 1826.

Exd.
J. McDaniel

R

D. Hill Esq.re
Chief Secretary to Government
Fort St. George

Sir,

I have had the honour of submitting to His Excellency the Governor your letter of the 21st ultimo, reporting the death of Nanjoona Naick, a Kandyan prisoner of the 2d class at Chickle in Ramnad, and requesting instructions as to the continuance of his allowance to his family, and I am in reply directed to state that His Excellency will authorise a sum of ten Rupees per month to be paid as follows, with the usual quantity of rice formerly allowed viz.

To the widow of the deceased six and a half Rupees per month and one measure of rice for herself and daughter.

To the son three and a half Rupees per month and half a measure of rice — and to request that the Honourable the Governor in Council will be pleased to direct the necessary instructions to be given accordingly.

I have

Chief Secretary's Office
Colombo 6th. May, 1826.

I have &c.. &c..
(Signed) Thos. Eden
Depy. Secy.

(A true copy)

D. [illegible]
Chief Secretary

Exd.

[illegible]

54 109

Fort St. George 28th November 1820

R

Sir,

[Ju]dicial Department.

I am directed by the Hon'ble the Governor in Council to transmit, for your information and guidance, the accompanying Extract from the Minutes of Consultation under this date.

I am,

Sir,

Your most obedient servant,

W. Chaplin [?]

Actg. Secy. to Govt.

To The Principal Collector of Madura.

[illegible] Kempston [?]

From the Acting
Secretary to Government
Dated 29 Novr 1824.

Extract from the Minutes of Consultation under date the 28th November 1826

"The expediency of appointing Cauzees at the Principal Towns in the Provinces" for the purpose "(as stated in the Preamble) of preparing and attesting deeds "of Transfer and other Law Papers, celebrating Marriages "and performing such religious duties or ceremonies pre-"scribed by the Mahomedan Law" as they had usually discharged under the Native Government, was first recognized by Regulation III A.D. 1808, in which it was directed that the Zillah Judges should on vacan-cees occurring recommend to the Sudr Udalut fit and proper persons to succeed to the Office of Cauzee, and such recom-mendations were ultimately to be confirmed or rejected by the Governor in Council, as he might deem fit. The duties of Cauzees were no further defined by that Regulation than that they were required to keep copies of all papers which they might draw up, attest, seal, or sign, with a list of the same - and the Courts were not required to recognize any acts done by them in their official capacity - It seems indeed from the concluding

Section

section to have been in contemplation to prescribe the duties of Cauzees in some subsequent Regulation.

The Office was again adverted to in Section X Regulation I A.D. 1809, and certain rules respecting the appointment and removal of Native Officers in other Departments were declared applicable to the Cauzees of Towns &ca but both as to appointment and re-moval the final decision remained with the Governor in Council.

By Clause first Section IV Regulation V A.D. 1811 the power of confirming the appointment removal, and resignation of Town Cauzees was vested in the Court of Sudr Udalut; but this Regulation, together with Section IV. Regulation III A.D. 1808, which had previously declared the power of appoint-ment to be in the Governor in Council, was sub-sequently rescinded by Section II Regulation VII. A.D. 1822; thus leaving the mode of appointment undefined

Sec. V. Reg. III. A.D. 1808. while the Office is declared not to be hereditary* and its existence as forming part of the Judicial Establish-ment of the Country still remains recognized by the Regulation which originally prescribed the manner in which it should be constituted.

The

The consequence of this has been that no regular system has of late been observed with respect to the appointment of Town Cauzees. The Sudr Udalut and Board of Revenue have forwarded recommendations received from the local Courts and from Collectors respectively, whilst in some instances Zillah Judges have applied directly to Government and in others the parties themselves or those by whom they were supported have addressed Petitions either to the local authorities or to the Government respecting the appointment.

It is understood that the Town Cauzees in general receive no pay from the Government and that their qualifications for the situation are not sufficiently attended to, and it appears therefore expedient that some regular system should be adopted with a view to render the Office more generally useful to the Public and more respectable in itself. If limited powers and suitable salaries were assigned to the persons appointed to fill the Office, and none were selected but men of talent and respectability there can be little

doubt

doubt that the arrangement would be attended with considerable advantage in all places where the Musselman population is extensive and the field for the services of the Cauzy proportionately wide.

Besides discharging the ordinary duties of a Moonsiff, the Cauzees might be employed in preparing deeds of transfer and other Law papers, celebrating Marriages, and performing religious duties or ceremonies, as contemplated when Regulation III A.D. 1808. was enacted and in superintending public institutions for the education of their Countrymen.

In the Yeomiah and Enam Departments the Governor in Council is led to believe that the Town Cauzees may be very usefully employed. The preparation of Schutnamahs. Chehrehnoweeses (Description Rolls), Hazyputtees, and other Documents connected with the issue and receipt of Yomeahs at present devolves on Tahsildars, who being generally

Hindoos

Hindoos have not the means of ascertaining whether Mussulman females (of whom the greatest portion of Yomeahdars consists) are actually in existence or not and whose time is otherwise fully employed. The whole of these duties might safely be transferred to the Cauzees, who will have the best means of checking frauds and preventing allowances being drawn by Vakeels or relatives after the death of the incumbents, in as much as the Cawzy from the nature of the Ceremonies required to be performed on such occasions must necessarily be informed of the death of every Mussulman within his Jurisdiction; and if required to furnish a list of Casualties, might enable the Collector effectually to control a Department in which at present there is too much room for fraud and dishonesty.

In order to enable the Governor in Council to ascertain the extent to which the services of Town Cauzies on the proposed improved footing will be required in the Provinces, it is Resolved that a Circular be addressed to Collectors requiring them to furnish information on the several

points

points noted in the subjoined Forms and to offer any suggestions on the subject which they may consider useful.

No. 1. District of

Names of the Towns where Cauzies are Employed.	By whom appoint=ed.	Extent of Mussul=man Popula=tion.	Pay allowed by Govern=ment.	Receipts from other Sources.	Ordinary Duties.	Allow=ances in the Nabobs time.	Pay pro=posed if there is none at present	Distance from the Station of the near=est Talook Moonsiff	Remarks.

No. 2. District of

Names of Towns where Cauzies are required.	Extent of Mussulman Population	Proposed pay.	Rate of fees for performing Ceremonies.	Proposed Duties.	Distance from the nearest Talook Moonsiff	Remarks.

(A true Extract)

W. Chaplin

Actg. Secry. to Govt.

Exd. Wampton

59 119

Revenue Department.

R

Circular

Sir,

I am directed by the Hon-
able the Governor in Council to transm-
for your information and guidance, th-
annexed Extract from the Minutes of
Consultation of this date.

I am

Sir,

Your most Obedient Serva-

(Signed) D. Hill
Chief Secretary

(A true Copy)

H L Montgomery
Secy. to Col.

Fort St. George
12th January 1827.

Revenue Department

Ext from the Minutes of Consultation of the 12th January, 1827.

It having lately come to the knowledge of Government that the Circular Instructions under date the 22nd November 1822 have in some instances been imperfectly understood; the Hon'ble the Governor in Council deems it necessary to draw attention to them and to make the following observations on the principles on which they are founded.

The British Legislature has in many cases expressly prohibited public Officers in India from receiving any emoluments or pecuniary advantages except such as are sanctioned by the Government. The object of this rule is to preserve the purity of the public administration in this country from being either violated or exposed to suspicion.

The same object requires that all pecuniary dealings between public Officers and Natives living under their authority should also be prohibited. Every inhabitant of a District is obviously under the authority of every Judicial and Revenue Officer in it: so also is every Native having transactions in the District or with the Department, such as Merchants, renters of Customs, and Contractors for the supply of the Company's Investment: so, in a higher degree, are the Native Servants on any public establishments. Pecuniary dealings with any of these Classes of persons are contrary to the duty of a public Officer and are prohibited by the views of the Legislature and by the orders of Government.

Under the head of pecuniary dealings prohibited are the borrowing or lending of money; the purchase or sale of houses, horses or Carriages, inducing Natives to build or buy houses for the accommodation of public Officers, and

generally

generally every transaction in which profit to a public Officer is in view. The supply of the ordinary wants of life by Natives, according to their several trades, obviously does not fall within the prohibition.

The Governor in Council has thought fit to specify these instances in order that the Nature of the prohibition may be distinctly comprehended, but it is by its substance and spirit, not by the terms in which it is expressed or explained, that the conduct of public Officers should be regulated and will be judged.

The Governor in Council has only further to desire that every public servant at the head of an Office will take care that the foregoing observations, as well as the Circular instructions under date the 22nd November 1822, are put into the hands of every gentleman under his authority; and to intimate his confidence that, when thus made known, the Civil Service will scrupulously observe them.

Ordered that this Minute of Council be communicated for the information and guidance of every Civil Servant at present on this Establishment."

(A true Extract)

(Signed) D. Hill
Chief Secretary

(A true Copy)

H. C. Montgomery
Secy. to Govt.

Ex'd

61 123

Revenue Department.

R

Circular

Sir,

With reference to the Circular Orders dated 12th January 1827, I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the annexed Extract from the Minutes of Consultation of this date. —

Fort St. George,
3rd April 1827.

I am,
Sir,
Your most obedient Servant,

[signature]
Secy. to Government.

To,

J. C. Wroughton Esqre.

Revenue Department

Extract from the Minutes of Consultation under date the 3d April 1827.

The Governor in Council does not anticipate any difficulty in giving effect to the arrangement suggested in the letter to the Accountant General of the 16th February last.— It will accordingly be the duty of that Officer to call upon the Civil Servants in the Provinces to report, either directly to himself, or through the Collectors, at the commencement of each quarter or half year, the portion of Salary for which they will require Bills on Madras in each month of such period, and he will then give timely notice to the Collectors of the extent to which they will be allowed to grant Bills in each month.— Where Bills for the whole sum applied for by Public Officers cannot be granted, it will be the duty of the Accountant General to make such a distribution of the amount allowed to be drawn as will enable all to participate equally in the intended accommodation.— Bills granted by the Collectors in part payment of Salaries shall not be negociable or transferable, and shall be bonâ fide for the sole use of

the

62 125

the individuals in whose names they may be granted.

The arrangement now authorized has been adopted in a great measure with the view of affording to Public Officers, who are debarred by the strict prohibition contained in the Circular Orders of the 12th January 1827 from having pecuniary dealings with Natives living under their authority, the means of remitting their savings to the Presidency; and it is hoped that no difficulty will hereafter be experienced in this respect; but it is to be understood that the extent of accommodation to be afforded will always be regulated by the funds which can conveniently be appropriated at the Presidency to discharge the Bills applied for.–

Resolved that a Copy of the foregoing Paras be circulated for the information and guidance of the Public Officers in the Provinces.–

(A true Extract)

W. Chaney [illegible]

Secy. to Government

63 (12)

Revenue Department.

R L

Circular.

Sir,

With reference to the Circular Orders dated 12th January 1827, I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the annexed Extract from the Minutes of Consultation of this date.—

Fort St. George,
3rd April 1827.

I am,
Sir,
Your most Obedient Servant,

[signature]
Secy. to Government.

To
The Principal Collector
of Madura.

Revenue Department

Extract from the Minutes of Consultation under date the 3d April 1827.

The Governor in Council does not anticipate any difficulty in giving effect to the arrangement suggested in the letter to the Accountant General of the 16th February last. _ It will accordingly be the duty of that Officer to call upon the Civil Servants in the Provinces to report, either directly to himself, or through the Collectors, at the commencement of each quarter or half year, the portion of Salary for which they will require Bills on Madras in each month of such period, and he will then give timely notice to the Collectors of the extent to which they will be allowed to grant Bills in each month. _ Where Bills for the whole sum applied for by Public Officers cannot be granted, it will be the duty of the Accountant General to make such a distribution of the amount allowed to be drawn as will enable all to participate equally in the intended accommodation. _ Bills granted by the Collectors in part payment of Salaries shall not be negociable or transferable, and shall be bonâ fide for the sole use of

the

the individuals in whose names they may be granted.

The arrangement now authorized has been adopted in a great measure with the view of affording to Public Officers, who are debarred by the strict prohibition contained in the Circular Orders of the 12th January 1827 from having pecuniary dealings with Natives living under their authority, the means of remitting their savings to the Presidency; and it is hoped that no difficulty will hereafter be experienced in this respect; but it is to be understood that the extent of accommodation to be afforded will always be regulated by the funds which can conveniently be appropriated at the Presidency to discharge the Bills applied for.–

Resolved that a copy of the foregoing Paras be circulated for the information and guidance of the Public Officers in the Provinces.–

(A true Extract)

[signature]

Secy. to Government.

15 131

Fort St. George, 10th April, 1827.

Circular

No. 296.

Sir,

Public Departmt. Para 1. The resources of the Native Pension Fund established in 1808 having been found inadequate and its rules impracticable, it has been abandoned; and, with the view of providing for the relief and comfort of the same class of public Servants for whose benefit it was originally intended, the Government have determined to grant them Superannuation pensions under certain rules which are herewith transmitted for your information and guidance.

2. The pensions will enable decayed Servants to retire and to procure public employment for younger members of their families; and, it is expected that the families of deceased Servants will obtain support from the savings effected during their life, and from the assistance of relations. All pensions however which have already been granted will continue to be paid by Government, subject to similar modifications as heretofore;

To

The Principal Collector of Madura.

heretofore; and all claims, in consequence of casualties which have occurred previously to this date, will be received and investigated, and such provision as may seem proper will be made for the parties concerned.— For the future, however, as the Pension Fund has failed, the bounty of Government will be confined to the grant of Superannuation pensions under the new Rules, as being better adapted to the interest of the Public Service, as well as to the advantage of the public Servants themselves.—

3.— A Pension will hereafter be granted by Government to the family, or any member of the family, of a deceased public Servant, only when such servant shall have been killed in the execution of his public duty, or shall have died in consequence of wounds or accidents sustained therein.—

I have the honor to be
Sir

Your most obedient Servant,

J Bannerman

Actg. Secy. to Government.

R

66 133

Rules regarding the grant of Superannuation pensions to Servants on the Public Establishments of Government of the description of Clerks (Chilee Kulum.)

First. The public Servant must have been employed on the public Service for a period of at least 15 Years.—

Second.— The public Servant, whatever may have been the period of his Service, must be incapacitated for further employment, by old age, prolonged sickness, or other bodily, or mental, infirmity.—

Third.— The character, conduct and past Services of the public Servant must be favorably reported or certified by the Officer or Officers under whom he may have been employed, and must appear to be such as to entitle him to the special consideration of Government.—

Fourth.— Whenever it may be judged expedient to grant a pension to a public Officer, whose case may come within the foregoing provisions, the amount of the pension shall be limited as follows.—

1.— If the period in which the individual may have been actually employed in the public Service shall be more than 15 Years

but

but less than 22 Years, the amount of the pension shall not exceed one third of the monthly Salary or authorized official allowances of such individual, calculated on an average of 3 Years, previously to the date of the application for such pension.-

2.- If the period of actual Service shall have been 22 Years or upwards, the amount of the pension shall not exceed one half of the salary, or authorized allowances, of the individual, calculated on the principle above stated.-

Fifth.- Whenever an application may be made to Government with the view to obtain the grant of a Pension in favor of any Officer employed in the public Service, the application shall contain full and specific information on the following points:-

1. The name, caste, age, and proposed place of residence of the Individual for whom the pension may be solicited - the situation in which he may be employed at the time when the application may be made - the total period during which the individual may have been employed in the public service - and the various official situations in which he may, from time to time, have been so employed.-

2.- The monthly amount of the salary, or official allowances, of the individual in question on an average of 3 Years previously to the

date

date of the application.

3.- The causes by which the individual may have been rendered incapable of discharging any longer the duties of his Office, whether by extreme old age, prolonged sickness, or other mental, or bodily, infirmity.-

4.- His general character, conduct, and past services in the Official Situations which he may have held.-

Sixth.- If the Officer making the application shall be unable, either from his personal or Official knowledge, to furnish the whole of the special information above required, he shall call upon the individual, in whose favor the application may be made, to furnish a written statement (to be verified by his oath or solemn declaration if required) on such of the points above noticed as may be necessary.-

Seventh.- If the individual shall be rendered incapable of further Service by prolonged sickness, loss of sight, or other bodily, or mental infirmity, a medical certificate to that effect shall be also transmitted with the application.-

Eighth.- Each application for a Pension, under the foregoing rules, shall be made by the Head of the Office under whom the individual recommended to be pensioned may be employed, in

in a letter addressed to Government and accompa
by a register on a separate sheet of paper, in the
No 1, hereto annexed, and the letter and register s
be transmitted, under an open cover, to the Superint.
of Civil Pensions for submission by him to Government.—

Ninth.— The Superintendent, on receiving
orders of Government granting a Pension, shall cause
a Certificate to be prepared in the annexed Form No 2
and, having attested it by his signature, and the seal
of his Office he shall transmit it to the Secretary to
Government in the Public Department for that Officer's
countersignature which having obtained, he shall
after registry forward the Certificate, with a certified
copy thereof, to the Head of the Office from whom
application for a pension shall have been received
the Original for delivery to the party pensioned, and
the Copy for an Official record.—

Tenth.— So far as may be practicable and
convenient, the wishes of persons obtaining pensions
respecting the places at which they may desire to
draw their allowances, shall be attended to, in the
preparation of Certificates, in the first instance
and the Superintendent is authorized to issue
Certificate transferring the payment of a pension from
one Treasury to another, in any case in which an
application to that effect from the party pensioned
shall be transmitted to him, through the Public Of
whom the pension, under the Original Certificate

be payable, accompanied by a recommendation from such Officer in favor of the desired change; provided the measure shall appear to be materially calculated to promote the convenience of the applicant, and not open to any particular objection.—

Eleventh.— Pensions, the payment of which may be transferred to the Presidency, or which may be payable there from the commencement, though the parties, on whom they are conferred, may have been attached to Establishments in the Provinces, shall be paid through the Offices of the Superintending Authorities to whose Departments the Pensioners shall have belonged as Public Servants; and, failing such authorities, through the Office of the Superintendent.—

Twelfth.— Yearly Statements of payments on account of Pensions shall be rendered to the Superintendent by the authorities through whose Offices the payments are made.—

Thirteenth.— A copy of every Original and transfer Certificate of a Pension, shall be furnished by the Superintendent to the Officer by whom the pension is made payable; as also to the Civil Auditor, or Military Auditor General, according to the monthly accounts of such Officer's disbursements, may be rendered to one or other of those authorities; and the pensions shall be indented for monthly in an abstract, drawn by the Officer paying them.—

It

Fourteenth. It shall be the special duty of all Officers paying Pensions to employ the best means of which they can avail themselves, to guard against the over-payment of them; and this rule and the following ones shall be considered equally applicable to the pensions which have been granted from the Pension Fund of 1808, and to those which may be conferred in satisfaction of outstanding claims upon it, as to the Pensions which may be granted under these regulations.—

Fifteenth.— Lapses of Pensions shall be communicated to the Superintendent as soon as pofsible after their occurrence, and the Certificate of such pensions shall be returned to him for the purpose of being cancelled.—

Sixteenth.— No pension shall be payable in arrear for a period exceding six months, without the exprefs sanction of Government, obtained through the Superintendent; unlefs the cause of the suspension of payment shall have been of an Official nature, and beyond the control of the Pensioner; when the Superintendent, on a reference being made to him, shall exercise his discretion in granting arrears, or submit a representation of the case for the information and orders of Government as he shall consider proper.—

Form No. 1.– Vide Rule Eighth.

Register of an application for a Superannuation Pension from the Establishment of the preferred under the rules passed by Government under date 10th April 1827.

Number on the Establishment.	Name of the party in whose favor the application is made.	Caste.	Age		Present Employment	Total period of Service		Date of application to Government.	Average of Salary or authorized Official allowances per mensem for the three Years preceding the date of application.			Salary or authorized Official allowances per mensem at the time of application.			Abstract of the grounds of application.	Remarks by the Head of Office.	Proposed amount of Pension per mensem			Province in which the party if pensioned wishes to reside and draw his pension.	Remarks by the Superintendent.	Orders of Government.
			Years	Months		Years	Months		Rs.	A.	P.	Rs.	A.	P.			Rs.	A.	P.			
1	Apporrow son of Termutrow	Bramin	65		Tahsildar	42		1827 May 1st	100			100			Old age, length of Service, and general good conduct and character.		50			Bellary		

69

Signature of the Head of Office.

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N.B. It must be understood that this register is not to supersede the detailed information required by the Pension Rules.

Form No. 2. Vide Rule Nint

Certificate of a Superannuation Pension granted to late
on the Establishment of the

Attested	Number of Certificate	Date of Certificate	Date of the authority of Government	Pensioner				Establishment from which Pensioned	Employment when Pensioned	Pension per Mensem			Term of Pension	Commencement of Pension	By whom payable	Remarks
				Name	Caste	Age										
						Years	Months			Rs.	A.	P.				
Superintendent Seal. Secretary to Government.																70

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71

No 628. Fort St George, 14th August 1827

R

Sir,

Revenue Department, Para 1st. I am directed to acknowledge the receipt of your letter of the 31st ultimo

2 If, as is understood, the Zemindary of Comaauravady be in the possession of the son of the late Mootoo Veerapah Luckia Naik, the Honorable the Governor in Council is of opinion that it is the duty of the Zemindar to support the family of his father, and desires that, as Collector, you will require him to do so. If there should be special reasons for exempting the Zemindar from this obligation, you will be pleased to

To

The Principal Collector and Magistrate

of

Madura.

to state them; and to submit your opinion as to the portion of the allowance enjoyed by the deceased which it may be proper to continue to his daughters.

I am,

Sir,

Your most obedient servant,

W. H. Crawford
Secretary [illegible]

Genl Hampton

To
The

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